(36)

HIGH COURT OF CHHATTISGARH AT BILASPUR

DIVISION BENCH

CORAM : HON'BLE MR. S.R.NAYAK, C.J. AND
HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION NO.590 OF 2001

Petitioner : Vishnu Prasad Goyal, Aged about 49 Years, S/O Late Ram Krishna Das Goyal, Secretary, District Chemist and Druggist Association, Raigarh, Resident of Raigarh, Tehsil – Raigarh, District – Raigarh (C.G.)

versus

Respondents :

1. State of Chhattisgarh, Through : Secretary, Public Health & Family Welfare Deptt. And Medical Education Deptt. Old D.K.Hospital, Raipur (C.G.)
2. Dr. K.L. Gopawar, Registrar-Cum-Secretary, Registration Tribunal, Ayurvedic Hospital, First Floor Noorani Chowk, Raja Talab, Raipur (C.G.)
3. Chhattisgarh Pharmacy Council, Through : Registrar, Ayurvedic Hospital, First Floor, Noorani Chowk, Raja Talab, Raipur (C.G.)

WRIT PETITION NO.1503 OF 2001

Petitioner : Ashok ku. Agrawal, aged- 42 yrs, S/o- Late Satyanarayan Agrawal, Occupation- Druggist & Vice-President, Distt: Janjgir, Champa Chemist & Druggist Association, R/o- Sakti, Distt: Janjgir, Champa, (C.G.)

versus

Respondents :

1. State of Chhattisgarh, Through : Secretary, Public Health & Family

Welfare Deptt and Medical Education Deppt, Old D.K. Hospital, Raipur (C.G.)

2. Dr. K.L. Gopawar, Registrar-cum-Secretary, Registration Tribunal Ayurvedic Hospital, First Floor Noorani Chowk, Raja Talab Raipur (C.G.)

3. Chhattisgarh Pharmacy Council, Through : Registrar, Ayurvedic Hospital, First Floor, Noorani Chowk, Raja Talab Raipur (C.G.)

Present : Mr. Uttam Pandey, counsel for the petitioners in both the petitions.
Mr. Prashant Mishra, Additional Advocate General with Mr. Utkarsh Verma, Deputy Government Advocate for respondent No.1/State in both the petitions.

ORAL ORDER
(Passed on 14th of September, 2006)

The following order of the Court was passed by **S.R.Nayak, C.J.** :

Writ Petitions No.590 of 2001 and 1503 of 2001 involve similar facts and a common question of law, therefore, they are being disposed of by this common order.

2. In our considered opinion, both the writ petitions have become infructuous. It needs to be noticed that in these writ petitions, the petitioners have challenged the validity of the constitution of Registration Tribunal. Learned Additional Advocate General, who appears for the first respondent, on instruction, would submit that subsequent to filing of these writ petitions, Pharmacy Council has been constituted. In view of this development, reviewing the validity of the constitution of the Registration

Tribunal under the notification dated 1-3-2001 (Annexure P-1) would not survive for decision-making. The writ petitions are, therefore, dismissed as infructuous. No costs.

3. A copy of this order be placed in the record of the connected writ petition.

Sd/-
Chief Justice

Sd/-
Satish K. Agnihotri
Judge

[redacted]

Gopal

[redacted]